

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

NIJEA NICOLE RICH,

Defendant.

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CASE NO. 22-MJ-1593-TJS

**CONSENT MOTION TO CONTINUE PRELIMINARY HEARING
AND WAIVE FILING OF INDICTMENT**

The United States, with the consent of counsel for Defendant Nijea Nicole Rich, moves for an order to extend the deadline to hold a preliminary hearing and to indict to **October 10, 2022**.

In support of this motion, the Government states as follows:

1. On May 19, 2022, the Defendant was charged by complaint with conspiracy to violate federal law, in violation of 18 U.S.C. § 371, and impersonation of a federal officer, in violation of 18 U.S.C. § 912.

2. On May 20, 2022, an Initial Appearance for the Defendant was held before the Honorable Magistrate Judge Timothy J. Sullivan. The Defendant was released on conditions of pretrial release.

3. On June 8, 2022, the Court granted the Government's consent motion to extend the deadline to hold a preliminary hearing and to indict to August 9, 2022. ECF No. 17.

4. Under Federal Rule of Criminal Procedure 5.1(c), after her initial appearance, a defendant who is charged by criminal complaint is entitled to a preliminary hearing no later than 14 days if the defendant is in custody or 21 days if the defendant is not in custody. However, with the defendant's consent, and upon a showing of good cause, a magistrate judge may extend the

time limits for which a preliminary hearing must be held after the defendant is charged by criminal complaint and has had her initial appearance. Fed. R. Crim. P. 5.1(d).

5. Pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, the Government must indict the charge underlying the complaint within 30 days from the date on which the individual was arrested. 18 U.S.C. § 3161(b). However, pursuant to 18 U.S.C. § 3161(h)(7), the Court may grant a continuance of speedy trial when the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

6. The parties have discussed the preliminary hearing and Speedy Trial Act deadlines. The Defendant, through counsel, agrees that the time within which a preliminary hearing must be held or an indictment filed may be extended to and including **October 10, 2022**.

7. The Government submits that there is good cause for such an extension, as discovery in this case is voluminous. The requested extension would allow the Defendant an opportunity to review and discuss the discovery with counsel. Furthermore, additional time will provide the parties the opportunity to discuss the possible resolution of this case in advance of further proceedings, which would serve the public interest in prompt disposition of criminal cases. *See* Fed. R. Crim. P. 5.1(d); 18 U.S.C. § 3161(h)(7).

8. A proposed order is submitted herewith.

Based on the foregoing, the Government respectfully requests that the Court grant this Motion and continue the preliminary hearing and the deadline for filing an indictment until **October 10, 2022.**

Dated: August 5, 2022

Respectfully submitted,

Erek L. Barron
United States Attorney

/s/ Peter L. Cooch
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was electronically filed on August 5, 2022, with notice to all counsel of record through the Court's electronic filing system.

/s/
Peter L. Cooch
Special Assistant United States Attorney